

34A-2-406 Exemptions from chapter for employees temporarily in state -- Conditions -- Evidence of insurance.

- (1) Any employee who has been hired in another state and the employee's employer are exempt from this chapter and Chapter 3, Utah Occupational Disease Act, while the employee is temporarily within this state doing work for the employee's employer if:
 - (a) the employer has furnished workers' compensation insurance coverage under the workers' compensation or similar laws of the other state;
 - (b) the coverage covers the employee's employment while in this state; and
 - (c)
 - (i) the extraterritorial provisions of this chapter and Chapter 3, Utah Occupational Disease Act, are recognized in the other state and employers and employees who are covered in this state are likewise exempted from the application of the workers' compensation or similar laws of the other state; or
 - (ii) the Workers' Compensation Fund:
 - (A) is an admitted insurance carrier in the other state; or
 - (B) has agreements with a carrier and is able to furnish workers' compensation insurance or similar coverage to Utah employers and their subsidiaries or affiliates doing business in the other state.
- (2) The benefits under the workers' compensation or similar laws of the other state are the exclusive remedy against an employer for any injury, whether resulting in death or not, received by an employee while working for the employer in this state.
- (3) A certificate from an authorized officer of the industrial commission or similar department of the other state certifying that the employer is insured in the other state and has provided extraterritorial coverage insuring the employer's employees while working in this state is prima facie evidence that the employer carries compensation insurance.

Amended by Chapter 222, 2000 General Session